

## Article - Criminal Law

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§3–405.

(a) In this section, “motor vehicle” has the meaning stated in § 11-135 of the Transportation Article.

(b) (1) An individual may not take unauthorized possession or control of a motor vehicle from another individual who actually possesses the motor vehicle, by force or violence, or by putting that individual in fear through intimidation or threat of force or violence.

(2) A violation of this subsection is carjacking.

(c) (1) A person may not employ or display a dangerous weapon during the commission of a carjacking.

(2) A violation of this subsection is armed carjacking.

(d) A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 30 years.

(e) A sentence imposed under this section may be separate from and consecutive to a sentence for any other crime that arises from the conduct underlying the carjacking or armed carjacking.

(f) It is not a defense under this section that the defendant did not intend to permanently deprive the owner or possessor of the motor vehicle.

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